

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 36201 OF 2022

Between:

BD Sampath Kumar, S/o Late BK Damodaram., Occ. Rtd RTC Employee R/o No 147,
TRT Colony, Vidyanagar, Hyderabad-500044

...PETITIONER(S)

AND

1. The State of Telangana, represented by the Principle Secretary for Municipal and urban Development Department, Secretariat, Hyderabad.
2. The Commissioner of Labour, ,Tanguturi Anjaiah Bhavan, RTC X Roads, Chikkadapalli, Hyderabad
3. Greater Hyderabad Municipal Corporation, represented by The Commissioner, GHMC, Circle -16, Abids, Hyderabad
4. The Assistant City Planner, City Circle-16, (GHMC), Abids, Hyderabad.
5. M Vijay, S/o Late M Prakasa Rao Aged about 35 years Occ. Pvt Employee R/o No 148, TRT Colony, Vidyanagar, Hyderabad-500044
6. M Sathish, S/o Late M Prakasa Rao Aged about 50 years Occ. Pvt Employee R/o No 148, TRT Colony, Vidyanagar, Hyderabad-500044

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass a writ, order or a direction more particularly one in the nature of Writ of mandamus under Article 226 of Constitution of India declaring the action of the Respondent GHMC in not taking any action despite of the Petitioner's repeated complaints in writing over an illegal construction of the unofficial Respondents without any official permissions or petitioner's consent and having acknowledged the same except issuing mere Notices U/s 452 and 461 of HMC Act having declaring it as unauthorised construction by 1/6/2022 itself and not taking any physical action in removing/ demolishing the same thereby allowing further unauthorised construction of the unofficial Respondents is illegal and unlawful and dereliction of their official duties apart from violative of Articles 14 and 21 of constitution of India consequently direct the GHMC Officials to demolish the unauthorised construction, illegal and unlawful construction of the unofficial Respondents situated at the Residential Houses of M No 2-2-3/156 / TRT No 147 and M No 2-2-3/ 157 / TRT-148 on a totally admeasuring 196 Sq Mts of the open common land

on west side and south side to the existing TRT Quarters Nos 147 and 148 including the compound wall of that Block at TRT Colony, Vidyanagar, Hyderabad -44

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to consider and dispose the representations given from 18.5.2022, 24.5.2022 and finally on 22.08.2022 with all support material

Counsel for the Petitioner(s): SRI. D SURESH KUMAR

Counsel for the Respondents: GP FOR MCPL ADMN URBAN DEV (TG)

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

Writ Petition No.36201 of 2022

ORDER :

None appears for the petitioner even though the writ petition is listed to-day under the caption 'For Dismissal'. Hence, this Court has no other option but to dismiss the case for default and also for non-prosecution.

2. Accordingly, the Writ Petition is dismissed for default as well as for non-prosecution. No costs.

3. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

**SD/-MOHD. SANNAULLAH ANSARI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI D SURESH KUMAR, Advocate [OPUC]
2. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
3. Two CD Copies

HIGH COURT

CVBRJ

DATED:10/02/2023



ORDER

WP.No.36201 of 2022

**WP IS DISMISSED FOR
NON-PROSECUTION WITHOUT COSTS**